

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

House Engrossed  
**FILED**  
**JANICE K. BREWER**  
**SECRETARY OF STATE**

CHAPTER 109

# HOUSE BILL 2443

AN ACT

AMENDING SECTION 22-137, ARIZONA REVISED STATUTES; RELATING TO CONSTABLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 22-137, Arizona Revised Statutes, is amended to  
3 read:

4 22-137. Constable ethics standards and training board; powers  
5 and duties; constable training

6 A. The constable ethics standards and training board shall:

7 1. Adopt rules for the administration and conduct of the board,  
8 including meeting times, meeting places and matters to be placed on the  
9 agenda of each meeting, and for the distribution of monies in the constable  
10 ethics standards and training fund pursuant to section 22-138.

11 2. Adopt a code of conduct for constables and adopt rules to enforce  
12 the code of conduct.

13 3. Establish procedures for conducting confidential investigations and  
14 holding hearings.

15 4. Hear and investigate written complaints from any person involving a  
16 constable's ethical conduct.

17 5. Remedy a constable's inappropriate behavior by:

18 (a) Mediating.

19 (b) Issuing warnings, reprimands or admonishments.

20 (c) Instructing constables to take a particular action or to take  
21 educational classes.

22 (d) Urging a constable to retire from office.

23 B. The board may:

24 1. Employ an executive director and other staff necessary to fulfill  
25 the powers and duties of the board.

26 2. Enter into contracts and interagency agreements to carry out its  
27 powers and duties.

28 3. Certify organizations to provide training and support programs for  
29 constables.

30 4. Provide support grants to constables for local or statewide  
31 training programs.

32 5. Take and hear evidence, administer oaths and affirmations and  
33 compel by subpoena the attendance of witnesses and the production of books,  
34 papers, records, documents and other information relating to any  
35 investigation or hearing.

36 C. If the board is not satisfied with the remedies prescribed in  
37 subsection A, paragraph 5 of this section, the board shall submit a report to  
38 the county attorney's office in the county in which the conduct at issue  
39 occurred.

40 D. The Arizona peace officer standards and training board shall  
41 approve a mandatory basic training course for newly elected constables  
42 covering topics including civil and criminal process, conflict resolution and  
43 firearm safety. Constables must attend the mandatory training course within  
44 six months after election. In subsequent years, constables must annually  
45 attend at least ~~eight~~ SIXTEEN hours of additional training approved by the

1 Arizona peace officer standards and training board. THE CONSTABLE ETHICS  
2 STANDARDS AND TRAINING FUND ESTABLISHED BY SECTION 22-138 MAY BE USED FOR  
3 CONSTABLE TRAINING. Copies of certificates of completion of the constable  
4 training shall be forwarded to the constable ethics standards and training  
5 board within thirty days after completion.

6 E. This section does not create a cause of action or a right to bring  
7 an action against the board.

APPROVED BY THE GOVERNOR APRIL 28, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2008.

Passed the House February 18, 20 08

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate April 21, 20 08

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Pro Tempore  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

22nd day of April, 20 08

at 2:40 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 28 day of

April 2008

at 10<sup>45</sup> o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 28 day of April, 20 08

at 1:35 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2443